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9 Counsel for Plaintiffs

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 JACKIE L. HIGH, et al.,

13 Plaintiffs,

14 vs.

15 THE CHOICE MANUFACTURING
16 COMPANY, INC., et al.,

17 Defendants.

) Case No. 3:11-CV-05478-EMC

) CLASS ACTION

) ~~PROPOSED~~ STIPULATION AND [PROPOSED] ORDER
) TO EXTEND TIME TO FILE AMENDED
) COMPLAINT

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1 WHEREAS, on July 24 2012, the Court issued an Order Granting Defendants' Motions
2 to Dismiss (Dkt. Nos. 65, 67) ("Order");

3 WHEREAS, on July 24, 2012, the Court gave plaintiffs leave to amend the non-RICO
4 fraud-related claims against defendants Mepco Finance Corporation ("Mepco") and Independent
5 Bank Corporation ("Independent Bank") (Order at 20);

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7 WHEREAS, plaintiffs and defendants The Choice Manufacturing Company, Inc., a.k.a.,
8 The Choice Warranty, Inc. (collectively, "Choice") and Peter Masi reached a settlement;

9 WHEREAS, on August 10, 2012, plaintiffs filed a Notice of Voluntary Dismissal with
10 Prejudice Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) as to defendants Choice and Peter Masi (Dkt.
11 No. 110);

12 WHEREAS, plaintiffs and defendants Mepco and Independent Bank are currently
13 engaged in discussions to resolve the pending litigation;

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15 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between plaintiffs, Mepco
16 and Independent Bank through their respective counsel and subject to the Court's approval that:

17 The amended complaint currently due on August 23, 2012 be extended up to and
18 including, September 14, 2012 (the same day as the currently schedule Case Management
19 Conference), or an alternative date that the Court determines suitable to allow the parties to
20 continue their settlement discussions.

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22 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

1 DATED: August 21, 2012

Respectfully submitted,

2 THE MEHDI FIRM

3 /s/

4 AZRA Z. MEHDI

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8 Counsel for Plaintiffs

9 DATED: August 21, 2012

VARNUM LLP

10 /s/

11 BRYON B. DOYLE (*Pro Hac Vice*)

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15 Counsel for Defendants Mepco Finance
16 Corporation and Independent Bank Corporation

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26 Pursuant to General Order No. 45 Section X(B), all signatories concur in filing
27 Stipulation to Extend Time to File Amended Complaint.

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2 Dated: August 21, 2012

/s/
AZRA Z. MEHDI

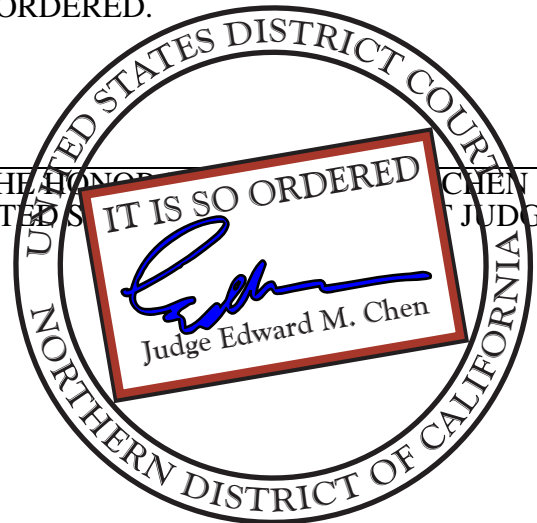
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4 **[PROPOSED] ORDER**

5 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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7 DATED: August ²¹__, 2012

8 THE HONORABLE JUDGE
9 UNITED STATES OF CALIFORNIA



CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2012, I authorized the electronic filing of the Stipulation and [Proposed] Order to Extend Time to File Amended Complaint, with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 21, 2012.

/s/

AZRA Z. MEHDI

Mailing Information for a Case 3:11-cv-05478-EMC

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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